APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,109	09/18/2003	Hyuk-Soo Son	0100-P0013A	6131

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EXAMINER
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ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	10/665,109	SON, HYUK-SOO
Office Action Summary	Examiner	Art Unit	
	Jason T. Whipkey	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>05 March 2008</u>.

2a)☒ This action is FINAL.　　2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>8-15</u> is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>8-12</u> is/are rejected.

7)☒ Claim(s) <u>13-15</u> is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>18 September 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☒ All　b)☐ Some * c)☐ None of:

　　　1.☒ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments with respect to claims 8-12 have been considered but are moot in

view of the new grounds of rejection.

    Applicant also argues that Berstis discloses that "one file includes three data

corresponding to one picture taken. The first is an image data, the second a recorded voice data,

and the third a translated text data" (see page 7, lines 3-6; emphasis original). The examiner

disagrees.

    Berstis discloses that "any other format that maintains the association among the image

data, the recorded voice data and the translated text data may be used as well. For example, a

well-known file system may be used" (see column 5, lines 44-48). If all three components were

in the same file, no file system would be necessary to maintain the association between the data.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

3.   Claims 8-10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Berstis (U.S. Patent No. 6,721,001) in view of Otala (U.S. Patent No. 6,954,229), Endo (U.S.

Patent No. 6,763,182), Anderson (U.S. Patent No. 6,683,649), and Shioji (U.S. Patent

Application No. 2002/0015100).

        Regarding **claim 8**, Berstis discloses a method of managing user data-files in a portable

digital apparatus (digital camera 102) having a display device (not shown; see column 4, line 66,

through column 5, line 2), and an interface for a recording medium (memory 214; see column 3,

lines 4-8), the method comprising the steps of:

                        generating representative voice files (such as 504 and 510 in Figure 5) and

                data-files (such as files 502, 506, 508, and 512) in a corresponding directory (a

                file system may be used, which inherently includes a directory structure; see

                column 5, line 48) through manipulation by a user (a user captures each file; see

                column 3, lines 18-28), the representative voice files and data-files sequentially

                arranged based on the order of generation of the representative voice files and the

                data-files (see column 5, lines 30-43);

                        grouping the data-files into groups of files such that each respective group

                is associated with its representative voice file (files are grouped according to their

                location relative to other files; see *id.*).

        Berstis is silent with regard to having each representative voice file for describing a group

of data files.

        Otala discloses an image management system, including a digital camera 14 that stores

image and voice data files, wherein:

each representative voice file (sound file 45 in Figure 4A) for describing a
group of the data-files (the disclosure acknowledges that in the prior art, sound
files were used to verbally describe a picture [see column 1, lines 20-24]; in the
disclosed invention, a single sound file is associated with a plurality of image files
[see Figure 4A and column 6, lines 8-11]) to be stored in the corresponding
directory (directory 40, for example; see Figure 4A).

All of the steps are known in the two references. The only difference is the combination
of old steps into a single process. Thus, it would have been obvious to one of ordinary skill in
the art at the time the invention was made to have the method disclosed by Berstis include a
voice file for describing a plurality of data files to achieve the predictable result of providing
additional information about a group of data files.

While Berstis discloses that the files are arranged contiguously (see *id.*), he is silent with
regard to the files having an index.

Endo discloses an imaging system, wherein:

files have respective names including sequentially arranged file indices
based on the order of generation of the representative files (each file is assigned
the next index number regardless of its type; see column 5, lines 24-39).

As stated in column 2, lines 35-40, an advantage of giving each file an index is that files
can be reproduced chronologically, regardless of their type. For this reason, it would have been
obvious to one of ordinary skill in the art at the time the invention was made to have Berstis's
system assign each of the sequential files an index.

Berstis is silent with regard to displaying the files of each of the groups.

Anderson discloses a digital imaging device, which:

selectively displays on the display device representative data-files of each

of the groups (the device displays a number of images and icons representing

grouped files; see Figure 4A and column 8, lines 6-14).

As stated in column 7, lines 50-53, an advantage of such a display is that a user may

rapidly view the contents of the camera. For this reason, it would have been obvious to one of

ordinary skill in the art at the time the invention was made to have Berstis's system display

groups.

Berstis is silent with regard to locating a directory and setting it as a present directory.

Shioji discloses a digital camera that performs the steps of:

locating the corresponding directory to store data-files among directories

formed on the recording medium (register 32b stores a pointer to the current

recording folder; see paragraphs 65 and 73); and

setting the located corresponding directory as a present directory (register

32b is set; see paragraph 65).

Applying the method of locating and setting a directory described by Shioji to the device

disclosed by Berstis would yield the predictable result of avoiding the need to constantly re-

locate the directory when each image is written. For this reason, it would have been obvious to

one of ordinary skill in the art at the time the invention was made to have Berstis's device locate

and set a desired directory, as described by Shioji.

Regarding **claim 9**, Shioji discloses:

when the corresponding directory searched for is not found upon locating

the corresponding directory, a new directory is generated and sets the newly

generated directory as a present directory (see paragraph 109).

Regarding **claim 10**, Shioji discloses:

> the name of the corresponding directory includes a directory index (100,
> 101, 102, etc., in Figure 2) and a characteristic code ("SANYO" in Figure 2)
> therein.

Regarding **claim 12**, Shioji discloses:

> by the file generation step, the name of each of the data-files includes a
> characteristic code ("SANY" in Figure 2) and a data-file index (0001, 0003, etc.,
> in Figure 2).

4.   Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Berstis in view of
Otala, Endo, Anderson, Shioji, and Go (Japanese Patent Publication No. 2002/091814).

Claim 11 can be treated like claim 10. While Shioji shows in Figure 2 that each file has
a characteristic code and index, he is silent with regard to each voice file having a directory
index number.

Go discloses a data storage system that stores a plurality of audio files (see Drawing 2).
Immediately prior to the file index number is the directory index of the file's corresponding
directory (e.g., 1mpeglang101.wav is in folder mpeglang1). As suggested in lines 1-3 of the
abstract, an advantage of this naming structure is that it is easier to determine where a file is
located. For this reason, it would have been obvious to one of ordinary skill in the art at the time
the invention was made to have Shioji's system include a directory index number in each file
name.

Allowable Subject Matter

5.   Claims 13-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding **claims 13-15**, no prior art could be located that teaches or fairly suggests a method of managing data files in a digital apparatus, wherein voice files and data files are given sequentially arranged file indices based on the order of generation and grouped by associating a voice file with data files based on their file indices, wherein a voice file is given an index of one plus the highest index and all data files associated with that voice file are assigned subsequent indices.

Conclusion

6.   Applicant's amendment necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

7.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jason Whipkey, whose telephone number is (571) 272-7321. The

examiner can normally be reached Monday through Friday from 9:30 A.M. to 6 P.M. eastern

daylight time.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Lin Ye, can be reached at (571) 272-7372. The fax phone number for the

organization where this application or proceeding is assigned is (571) 273-8300.

        Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you

would like assistance from a USPTO Customer Service Representative or access to the

automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J.T.W./
May 30, 2008

                                    /Lin Ye/
                    Supervisory Patent Examiner, Art Unit 2622